

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

\* \* \*

MICHAEL FOLEY,  
Plaintiff-Appellant,  
v.  
JENNIFER MORRONE, *et al.*,  
Defendants-Appellee

Case No. 2:13-cv-01639-APG-NJK

Ninth Circuit Case No. 15-16095

## **RESPONSE TO REFERRAL NOTICE**

The United States Court of Appeals for the Ninth Circuit referred to me the question whether Michael Foley's *in forma pauperis* status should continue for his appeal or whether the appeal is frivolous or taken in bad faith. After reviewing the district court file, I find that reasonable judicial minds could not disagree with the ruling from which the appeal is taken. The appeal is frivolous. Therefore, Foley's *in forma pauperis* status is revoked.

DATED this 5<sup>th</sup> day of June, 2015.

  
ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE